

**2SHB 2731** - S COMM AMD

By Committee on Ways & Means

1       Strike everything after the enacting clause and insert the  
2 following:

3       "NEW SECTION. **Sec. 1.** The legislature finds that children who  
4 participate in high quality preschool programs have improved  
5 educational and life outcomes and are more likely to graduate from high  
6 school and pursue higher education, experience successful employment  
7 opportunities, and have increased earnings. Therefore, the legislature  
8 intends to create an entitlement to a program of early learning to  
9 protect the current levels of funding for comprehensive preschool  
10 programs for three and four-year old children beginning September 1,  
11 2011.

12       The legislature also finds that the state early childhood education  
13 and assistance program was established to help children from low-income  
14 families be prepared for kindergarten, and that the program has been a  
15 successful model for achieving that goal. Therefore, the legislature  
16 intends that implementing a program of early learning shall be  
17 accomplished by using the program standards and eligibility criteria in  
18 the early childhood education and assistance program.

19       NEW SECTION. **Sec. 2.** A new section is added to chapter 43.215 RCW  
20 to read as follows:

21       (1) An early learning program is established, beginning September  
22 1, 2011, to provide preschool opportunities for children three and four  
23 years of age. The program shall be implemented by using the program  
24 standards and eligibility criteria in the early childhood education and  
25 assistance program under RCW 43.215.405. Participation in the program  
26 is voluntary. On a space-available basis, the program may allow  
27 enrollment of children who are not otherwise eligible by assessing a  
28 fee.

1 (2)(a) The program shall be implemented in phases, with the goal  
2 that full implementation be achieved in the 2017-18 school year.

3 (b) For an initial phase of an early learning program in school  
4 years 2011-12 and 2012-13, the number of slots for the early learning  
5 program shall not be less than the number of slots for three and four-  
6 year old children served in comprehensive preschool programs during the  
7 2009-2011 biennium.

8 (c) Funding shall continue to be phased in incrementally each year  
9 until full statewide implementation of the early learning program is  
10 achieved.

11 (3) By December 1, 2010, the department shall report to the  
12 governor and the appropriate committees of legislature with  
13 recommendations for:

14 (a) Implementing an early learning program; and

15 (b) Renaming the early childhood education and assistance program  
16 to reflect the new early learning program.

17 (4) Beginning December 1, 2012, the department of early learning  
18 and the office of financial management shall annually review the  
19 caseload forecasts for the early learning program and report to the  
20 governor and the appropriate committees of the legislature with  
21 recommendations for phasing in additional funding to achieve the goal  
22 of full statewide implementation.

23 **Sec. 3.** RCW 43.215.405 and 2006 c 265 s 210 are each amended to  
24 read as follows:

25 Unless the context clearly requires otherwise, the definitions in  
26 this section apply throughout RCW 43.215.400 through 43.215.450 and  
27 43.215.900 through 43.215.903.

28 (1) "Advisory committee" means the advisory committee under RCW  
29 43.215.420.

30 (2) "Department" means the department of early learning.

31 (3) "Eligible child" means a child at least three years of age and  
32 not eligible for kindergarten whose family income is at or below one  
33 hundred ten percent of the federal poverty level, as published annually  
34 by the federal department of health and human services, and includes a  
35 child whose family is eligible for public assistance, and who is not a  
36 participant in a federal or state program providing comprehensive  
37 services and may include children who are eligible under rules adopted

1 by the department if the number of such children equals not more than  
2 ten percent of the total enrollment in the early childhood program.  
3 Priority for enrollment shall be given to children from families with  
4 the lowest income, children in foster care, or to eligible children  
5 from families with multiple needs.

6 (4) "Approved programs" means those state-supported education and  
7 special assistance programs which are recognized by the department as  
8 meeting the minimum program rules adopted by the department to qualify  
9 under RCW 43.215.400 through 43.215.450 and 43.215.900 through  
10 43.215.903 and are designated as eligible for funding by the department  
11 under RCW 43.215.430 and 43.215.440.

12 (5) "Comprehensive" means an assistance program that focuses on the  
13 needs of the child and includes education, health, and family support  
14 services.

15 (6) "Family support services" means providing opportunities for  
16 parents to:

- 17 (a) Actively participate in their child's early childhood program;
- 18 (b) Increase their knowledge of child development and parenting  
19 skills;
- 20 (c) Further their education and training;
- 21 (d) Increase their ability to use needed services in the community;
- 22 (e) Increase their self-reliance.

23 **Sec. 4.** RCW 43.215.425 and 1994 c 166 s 6 are each amended to read  
24 as follows:

25 The department shall adopt rules under chapter 34.05 RCW for the  
26 administration of the early childhood program. Approved early  
27 childhood programs shall conduct needs assessments of their service  
28 area, identify any targeted groups of children, to include but not be  
29 limited to children of seasonal and migrant farmworkers and native  
30 American populations living either on or off reservation, and provide  
31 to the department a service delivery plan, to the extent practicable,  
32 that addresses these targeted populations.

33 The department in developing rules for the early childhood program  
34 shall consult with the advisory committee, and shall consider such  
35 factors as coordination with existing head start and other early  
36 childhood programs, the preparation necessary for instructors,  
37 qualifications of instructors, adequate space and equipment, ((and))

special transportation needs, and technical assistance to providers.  
The rules shall specifically require the early childhood programs to  
provide for parental involvement in participation with their child's  
program, in local program policy decisions, in development and revision  
of service delivery systems, and in parent education and training. The  
rules shall include a method for allowing, on a space-available basis,  
enrollment of children who are not otherwise eligible by assessing  
fees.

**Sec. 5.** RCW 43.215.020 and 2007 c 394 s 5 are each amended to read  
as follows:

(1) The department of early learning is created as an executive  
branch agency. The department is vested with all powers and duties  
transferred to it under this chapter and such other powers and duties  
as may be authorized by law.

(2) The primary duties of the department are to implement state  
early learning policy and to coordinate, consolidate, and integrate  
child care and early learning programs in order to administer programs  
and funding as efficiently as possible. The department's duties  
include, but are not limited to, the following:

(a) To support both public and private sectors toward a  
comprehensive and collaborative system of early learning that serves  
parents, children, and providers and to encourage best practices in  
child care and early learning programs;

(b) To make early learning resources available to parents and  
caregivers;

(c) To carry out activities, including providing clear and easily  
accessible information about quality and improving the quality of early  
learning opportunities for young children, in cooperation with the  
nongovernmental private-public partnership;

(d) To administer child care and early learning programs;

(e) To standardize internal financial audits, oversight visits,  
performance benchmarks, and licensing criteria, so that programs can  
function in an integrated fashion;

(f) To support the implementation of the nongovernmental private-  
public partnership and cooperate with that partnership in pursuing its  
goals including providing data and support necessary for the successful  
work of the partnership;

1 (g) To work cooperatively and in coordination with the early  
2 learning council;

3 (h) To collaborate with the K-12 school system at the state and  
4 local levels to ensure appropriate connections and smooth transitions  
5 between early learning, including an early learning program established  
6 in section 2 of this act, and K-12 programs; (~~and~~)

7 (i) To develop and implement an early learning program established  
8 in section 2 of this act; and

9 (j) Upon the development of an early learning information system,  
10 to make available to parents timely inspection and licensing action  
11 information through the internet and other means.

12 (3) The department's programs shall be designed in a way that  
13 respects and preserves the ability of parents and legal guardians to  
14 direct the education, development, and upbringing of their children.  
15 The department shall include parents and legal guardians in the  
16 development of policies and program decisions affecting their children.

17 NEW SECTION. Sec. 6. A new section is added to chapter 28A.320  
18 RCW to read as follows:

19 For an early learning program established in section 2 of this act,  
20 school districts:

21 (1) Shall work cooperatively with program providers to coordinate  
22 the transition from preschool to kindergarten so that children and  
23 their families are well-prepared and supported; and

24 (2) May contract with the department of early learning to deliver  
25 services under the program."

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26 On page 1, line 1 of the title, after "for" strike the remainder of  
27 the title and insert "children; amending RCW 43.215.405, 43.215.425,  
28 and 43.215.020; adding a new section to chapter 43.215 RCW; adding a  
29 new section to chapter 28A.320 RCW; and creating a new section."

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